

guidelines that provide criteria for testing and that respect the rights of the arrested person and the peace officer.

(c) Nothing in this article authorizes a court to release a test result to a person other than a person specifically authorized by this article, and Section 81.103(d), Health and Safety Code, does not authorize that disclosure.

SECTION 3. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2001.

Passed the Senate on February 26, 2001, by a viva-voce vote; and that the Senate concurred in House amendment on May 25, 2001, by a viva-voce vote; passed the House, with amendment, on May 16, 2001, by a non-record vote.

Approved June 17, 2001.

Effective September 1, 2001.

CHAPTER 1481

S.B. No. 309

AN ACT

relating to the application of the sunset review process to certain governmental entities.

Be it enacted by the Legislature of the State of Texas:

ARTICLE 1. ENTITIES GIVEN 2003 SUNSET DATE

SECTION 1.01. TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT. (a) Section 481.003, Government Code, is amended to read as follows:

Sec. 481.003. SUNSET PROVISION. The Texas Department of Economic Development is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence, as provided by that chapter, the department is abolished and this chapter expires September 1, 2003 [2004].

(b) This section takes effect only if neither S.B. No. 321 nor H.B. No. 3452, 77th Legislature, Regular Session, 2001, becomes law. If either of those bills becomes law, this section has no effect.

SECTION 1.02. STATE BOARD OF DENTAL EXAMINERS. Section 251.005, Occupations Code, is amended to read as follows:

Sec. 251.005. APPLICATION OF SUNSET ACT. The State Board of Dental Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished September 1, 2003 [2005].

ARTICLE 2. ENTITIES GIVEN 2005 SUNSET DATE

SECTION 2.01. STATE BOARD OF BARBER EXAMINERS. Section 1601.004, Occupations Code, is amended to read as follows:

Sec. 1601.004. APPLICATION OF SUNSET ACT. The State Board of Barber Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence

as provided by that chapter, the board is abolished and this chapter expires September 1, 2005 [2003].

SECTION 2.02. TEXAS COSMETOLOGY COMMISSION. Section 1602.004, Occupations Code, is amended to read as follows:

Sec. 1602.004. APPLICATION OF SUNSET ACT. The Texas Cosmetology Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2005 [2003].

SECTION 2.03. TEXAS VETERANS COMMISSION. Subsection (a), Section 434.002, Government Code, is amended to read as follows:

(a) The Texas Veterans Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2005 [2003].

SECTION 2.04. VETERANS' LAND BOARD. Section 161.0111, Natural Resources Code, is amended to read as follows:

Sec. 161.0111: SUNSET PROVISION. The Veterans' Land Board is subject to review under Chapter 325, Government Code (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2005 [2003] and every 12th year after 2005 [2003] are reviewed.

SECTION 2.05. ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL. Subsection (a), Section 367.003, Health and Safety Code, is amended to read as follows:

(a) The council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2005 [2004].

ARTICLE 3. ENTITIES GIVEN 2007 SUNSET DATE

SECTION 3.01. TEXAS INCENTIVE AND PRODUCTIVITY COMMISSION. Section 2108.007, Government Code, is amended to read as follows:

Sec. 2108.007. APPLICATION OF SUNSET ACT. The Texas Incentive and Productivity Commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2007 [2003].

SECTION 3.02. RISK MANAGEMENT BOARD. Subsection (f), Section 412.021, Labor Code, is amended to read as follows:

(f) The *risk management* board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this section expires September 1, 2007 [2009].

SECTION 3.03. TEXAS REAL ESTATE COMMISSION. Subsection (n), Section 5, The Real Estate License Act (Article 6573a, Vernon's Texas Civil Statutes), is amended to read as follows:

(n) The Texas Real Estate Commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this Act expires September 1, 2007 [2003].

SECTION 3.04. TEXAS STRUCTURAL PEST CONTROL BOARD. Subsection (e), Section 3, Texas Structural Pest Control Act (Article 135b-6, Vernon's Texas Civil Statutes), is amended to read as follows:

(e) The Texas Structural Pest Control Board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this Act expires September 1, 2007 [2003].

ARTICLE 4. ENTITIES GIVEN 2009 SUNSET DATE

SECTION 4.01. POLYGRAPH EXAMINERS BOARD. Section 1703.005, Occupations Code, is amended to read as follows:

Sec. 1703.005. APPLICATION OF SUNSET ACT. The Polygraph Examiners Board is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2009 [2003].

ARTICLE 5. ENTITIES GIVEN 2011 SUNSET DATE

SECTION 5.01. TEXAS DEPARTMENT OF HUMAN SERVICES. Section 21.002, Human Resources Code, is amended to read as follows:

Sec. 21.002. SUNSET PROVISION. The Texas Department of Human Services is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this title expires September 1, 2011 [2003], except that Chapter 40 expires as provided by Section 40.003.

ARTICLE 6. SPECIAL PURPOSE REVIEW

SECTION 6.01. TEXAS DEPARTMENT OF HUMAN SERVICES. Chapter 21, Human Resources Code, is amended by adding Section 21.0021 to read as follows:

Sec. 21.0021. SPECIAL PURPOSE SUNSET REVIEW. (a) During the period in which the Sunset Advisory Commission performs its duties under Chapter 325, Government Code, in preparing for a report to the 78th Legislature, the commission shall perform a special purpose review of the department. In the review, the commission is limited to reviewing the appropriateness of the recommendations made by the commission to the 76th Legislature regarding the department. In the commission's report to the 78th Legislature, the commission may include any of those prior recommendations the commission considers appropriate.

(b) The department shall cooperate with the Sunset Advisory Commission in the review and shall provide to the commission any information the commission considers necessary for the review.

(c) This section expires September 1, 2003.

SECTION 6.02. TEXAS DEPARTMENT OF HEALTH. Chapter 11, Health and Safety Code, is amended by adding Section 11.0031 to read as follows:

Sec. 11.0031. SPECIAL PURPOSE SUNSET REVIEW. (a) During the period in which the Sunset Advisory Commission performs its duties under Chapter 325, Government Code, in preparing for a report to the 78th Legislature, the commission shall perform a special purpose review of the department. For that purpose, the commission shall review:

(1) the extent to which the department has implemented laws enacted by the 76th Legislature in continuing the department under Chapter 325, Government Code;

(2) the extent to which the department has implemented the recommendations made by the commission to the 76th Legislature regarding the department that did not require statutory change;

(3) the extent to which the department has implemented the recommendations made by the state auditor in each audit report relating to the department issued after January 1, 1999, and before September 1, 2002; and

(4) the extent to which the department implements the recommendations of consultants employed by the department after January 1, 2001.

(b) In the Sunset Advisory Commission's report to the 78th Legislature, the commission may include any recommendation the commission considers appropriate.

(c) The department shall cooperate with the Sunset Advisory Commission in the review and shall provide to the commission any information the commission considers necessary for the review.

(d) This section expires September 1, 2003.

ARTICLE 7. ENTITIES REMOVED FROM SUNSET REVIEW

SECTION 7.01. The following laws are repealed:

- (1) Section 30.026, Education Code (governing board of the Texas School for the Blind and Visually Impaired);
- (2) Section 30.058, Education Code (governing board of the Texas School for the Deaf);
- (3) Section 86.511, Education Code (Real Estate Research Center);
- (4) Section 465.002, Government Code (Texas National Research Laboratory Commission);
- (5) Section 752.025, Government Code (Governor's Advisory Committee on Immigration and Refugees);
- (6) Section 451.453, Transportation Code (Capital Metropolitan Transportation Authority, Corpus Christi Regional Transit Authority, and Harris County Metropolitan Rapid Transit Authority); and
- (7) Section 452.453, Transportation Code (Dallas Area Rapid Transit Authority).

ARTICLE 8. EFFECTIVE DATE

SECTION 8.01. This Act takes effect September 1, 2001.

Passed the Senate on April 19, 2001, by a viva-voce vote; and that the Senate concurred in House amendments on May 27, 2001, by a viva-voce vote; passed the House, with amendments, on May 23, 2001, by a non-record vote.

Approved June 17, 2001.

Effective September 1, 2001.

CHAPTER 1482

S.B. No. 328

AN ACT

relating to the statute of limitations for purposes of prosecuting certain offenses involving injury to a child, elderly individual, or disabled individual.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 12.01, Code of Criminal Procedure, is amended to read as follows:

Art. 12.01. FELONIES. Except as provided in Article 12.03, felony indictments may be presented within these limits, and not afterward:

- (1) no limitation: murder and manslaughter;
- (2) ten years from the date of the commission of the offense:
 - (A) theft of any estate, real, personal or mixed, by an executor, administrator, guardian or trustee, with intent to defraud any creditor, heir, legatee, ward, distributee, beneficiary or settlor of a trust interested in such estate;
 - (B) theft by a public servant of government property over which he exercises control in his official capacity;